

**REMARKS**

Claims 53 and 55-58 were pending and allowed subject to interference in this application. Claim 53 has been amended. Support for the amendments to claim 53 can be found in the specification. Support for the recitation that the 8F4 polypeptide occurs on two-signal-activated human "CD4+ T lymphocytes from human peripheral blood" can be found, e.g., on page 12, line 20 and page 12, line 1 of the specification. Support for the recitation that the antibody costimulates proliferation of human T lymphocyte in conjunction with anti-CD3 monoclonal antibody OKT3 "under conditions in which the monoclonal antibody and OKT3 are immobilized on an anti-mouse Ig-coated 96 well plate" can be found, e.g., on page 15, lines 15-19 of the specification. Claim 53 has also been amended to clarify that the 8F4 polypeptide is recognized by the antibody "produced by the hybridoma" deposited with the DSMZ and assigned accession no. DSM ACC2539, since the hybridoma, not the antibody itself, was the subject matter of the DSMZ deposit (see Exhibit 2009, Statement of Applicant Regarding Permanence and Availability of Deposited Microorganisms submitted in connection with the '283 application on October 15, 2002). No new matter is added.

## **CONCLUSION**

Applicant respectfully requests that the amendment and remarks made herein be entered and made of record in the file history of the subject application.

Respectfully submitted,

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